

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Thomas J Lochtefeld  
App. No : 10/795,799  
Filed : March 8, 2004  
For : WATER RIDE ATTRACTION  
Examiner : Kien T Nguyen  
Art Unit : 3711  
Conf No. : 7716

**COMMENTS ON THE EXAMINER'S STATEMENT**  
**OF REASONS FOR ALLOWANCE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This paper is being filed to comment on the Examiner's Statement of Reasons for Allowance set forth in the Notice of Allowance, which was transmitted on September 29, 2009.

In view of the Examiner's Statement of Reasons for Allowance, Applicants would like to clarify that each of the claims is independently allowable because the prior art does not teach or suggest the recited combination as a whole, and patentability of the claims does not rest on a subset of limitations of the claims. Each claim is allowable because it recites a combination of features that are not taught or suggested by the prior art.

For instance, none of the cited references, taken alone or in combination, teaches a water ride attraction, comprising a substantially stationary riding surface having a front and a back, the riding surface comprising an elongate substantially planar portion, followed from front to back by a concave upwardly inclined portion, an upwardly convex ridge portion, and a downwardly-inclined downstream transition portion; an exiting area having a drain and an exit surface, the exit surface being contiguous with the downstream transition portion; a water collection basin generally below the exiting area and communicating with the drain; a pump delivering a

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supercritical flowing body of water to the front of the riding surface, the body of water flowing in a direction generally from the front toward the back of the riding surface; the flowing body of water delivered with sufficient velocity and volume so that the flowing body of water flows over the planar portion, on to and over the upwardly inclined portion, on to and over the convex ridge portion and on to and over the downstream transition portion while generally conforming to the contours of the respective portions and while remaining supercritical; the flowing body of water flowing on to the exit surface in the exiting area after flowing over the downstream transition portion, the body of water ceasing supercritical flow in the exiting area; and the drain sized and configured to evacuate water from the exit surface sufficient so that non-supercritical water in the exit area does not submerge the supercritical flowing body of water on the downstream transition portion; wherein the supercritical flowing body of water supports a rider riding thereon over the planar portion, upwardly inclined portion, upwardly convex ridge portion and downstream transition portion; and wherein the rider comes to rest in the exiting area in which the body of water ceases supercritical flow, as recited in independent Claim 1.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: December 28, 2009

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